



AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HARRIS et al.

Atty. Ref.: 124-1111; Confirmation No. 1768

Appl. No. 10/529,055

TC/A.U. 3662

Filed: March 24, 2005

Examiner: T. Brainard

For: BISTATIC LASER RADAR APPARATUS

* * * * *

Mail Stop Appeal Brief – Patents

March 20, 2009

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

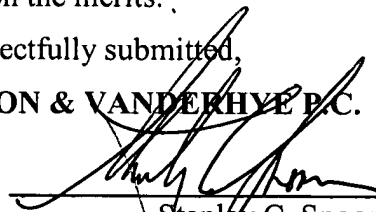
Responsive to the Notification of Non-Compliant Appeal Brief mailed March 17, 2009, submitted herewith is an amended Appeal Brief page 3 containing a statement of the status of cancelled claim 17. The newly submitted page 3 of the Appeal Brief is believed to overcome the issue identified in the Notification of Non-Compliant Appeal Brief and Mr. Tyson's telephone confirmation that submission of a corrected page (rather than the entire Brief) would be acceptable is very much appreciated.

Appellants request that the appeal proceed on the merits.

Respectfully submitted,

NIXON & VANDERHVE P.C.

By:


Stanley C. Spooner
Reg. No. 27,393

SCS:kmm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

combined with one or more of Bowers, Carlson, Tocker, Holton and Evans.

Claim 17 was cancelled. The rejections of claims 1-16 and 18-21 are appealed.

IV. STATUS OF AMENDMENTS

No further response has been submitted with respect to the fourth and non-final Official Action mailed August 22, 2008.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Appellants' specification and figures provide an explanation of the claimed invention set out in independent claims 1, 18 and 21, with each claimed structure and structural interrelationship addressed as to its location in the specification and in the figures.

“1. A bistatic laser radar device [as shown in Figures 4a and 4b and as described on page 11, lines 14-30 and elsewhere in the specification] comprising:

a transmit channel [channel 60 as shown in Figure 4a and as described on page 11, lines 14 to 21 and elsewhere in the specification] for forming a variable focus transmit beam, and

a receive channel [channel 62 as shown in Figure 4a and as described on page 11, lines 18 to 21 and elsewhere in the specification] for forming a variable focus receive beam, wherein the device is arranged such that all points of focus of